REMARKS

This Amendment is filed in response to the Office Action dated July 25, 2008. The Applicant respectfully requests reconsideration in light of the below discussion. All objections and rejections are respectfully traversed.

Claims 1, 4-11, 13-19, 22-29, 31-37, 40-47, and 49-54 are pending in the case.

Claims 1, 4-9,19, 22-28,37, and 40-45 have been amended.

Claims 57-60 have been added

Request for Interview

The Applicant respectfully requests a telephonic interview to advance the prosecution of this case. The Applicant believes an interview will be most productive after the Examiner has had an opportunity to review this Amendment, but prior to the issue of the next Office Action. As the Applicant can not determine when the Examiner will have time to consider this Amendment, given PTO workload, the Applicant respectfully requests the Examiner contact the Applicant at 617-951-2500 when he reviews this Amendment so that a time convenient to the Examiner may be arranged for a telephonic interview.

Rejection of Claims 1, 5, 9, 13, 16, 19, 23, 27, 31, 34, 37, 41, 45, 49, and 52 under 35 U.S.C. §103(a)

At pages 2-5 of the Office Action, claims 1, 5, 9, 13, 16, 19, 23, 27, 31, 34, 37, 41, 45, 49, and 52 were rejected under 35 U.S.C. §103(a) over Rakoshitz et al., U.S. Patent No. 6,578,077 (hereinafter "Rakoshitz"), in view of Battat et al., U.S. Publication No. 2002/0013837 (hereinafter "Battat").

The Applicant's claim 1, representative in part of the other rejected claims, sets forth:

> 1. A method for graphically presenting characteristics of data traffic on a distributed computer network, comprising:
>
> monitoring traffic on said network;
>
> selecting a characteristic of said traffic for display;

obtaining a plurality of values of said characteristic for selected time intervals within a larger time interval; and

presenting said characteristic by playing a rapid succession of graphical images, ***each graphical image representing said network as nodes connected by lines, said nodes each representing components in said network, said lines representing traffic flow between said components***, each graphical image graphically representing the value of said characteristic at a particular selected time interval within the larger time interval with a property of at least one line of said lines,

wherein a change in said property of said at least one line in successive graphical images indicates a change in the value of said characteristic of said traffic.

Rakoshitz discusses a traffic monitoring tool with a display having two portions. "[T]he first portion displays a graphical chart representing the flow of information. The second portion displays text information describing aspects of the flow of information." *See* col. 2, lines 49-53. The graphical chart may be a line chart (*see* Fig. 13, "line plot" 1304 and col. 20, lines 21-22), a bar chart, a pie chart, etc. (*see* col. 20, lines 38-39). In the line plot embodiment, shown in Fig. 13, the vertical axis represents bandwidth and the horizontal axis represents time. *See* col. 20, lines 19-20.

Battat discusses a virtual reality environment for managing network components. "Photo-realistic" images of buildings, rooms, computers and internal components of computers are rendered. *See* paragraphs 0109-0110. A user may selected a device with a "targeting reticule" to see a status of the device. *See* paragraphs 0113-0114. Several example "network scenes" are presented showing "computers and other devices attached to the opened segments." *See* paragraph 0192 and Fig. 17.

Neither Rakoshitz nor Battat suggest the claimed "***each graphical image representing said network as nodes connected by lines, said nodes each representing components in said network, said lines representing traffic flow between said components... wherein a change in said property of said at least one line in successive graphical images indicates a change in the value of said characteristic of said traffic***."

The Applicant presents a succession of graphical images that each show nodes that represent components in the network, interconnected by lines that represent traffic flow between the components. A change in a property of a line in successive graphical images indicates a change in the value of a characteristic of traffic. To illustrate, the Applicant respectfully directs the Examiner's attention to the succession of example graphical images shown in Figs. 4A to 4D of the drawings. In the example graphical images, a network is represented as components 402, 404, 406, 408, 410 connected by lines (unlabeled). A change in characteristic of a traffic flow, for example a change in the amount of traffic passing, is indicated by a change in a property of a line. For example, in Fig. 4B (reproduced below) a relatively thin width graphically illustrates less network traffic at a first time.

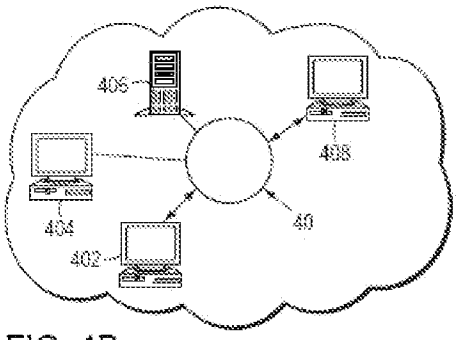

FIG. 4B

Yet in Fig 4C, a thicker width denotes more network traffic at a later time

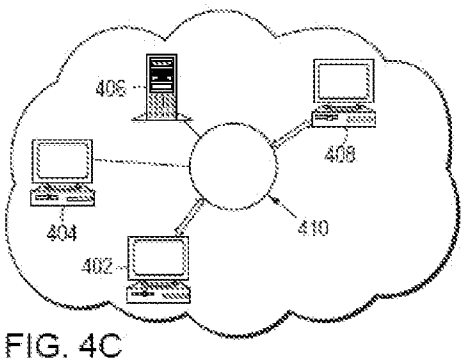

FIG. 4C

The combination of Rakoshitz and Battat does not suggest operation of the type.

Rakoshitz simply discusses a "line plot" (reproduced below), where the position of the line in reference to a vertical axis and a horizontal axis indicates bandwidth. *See* Rakoshitz col. 20, lines 18-22.

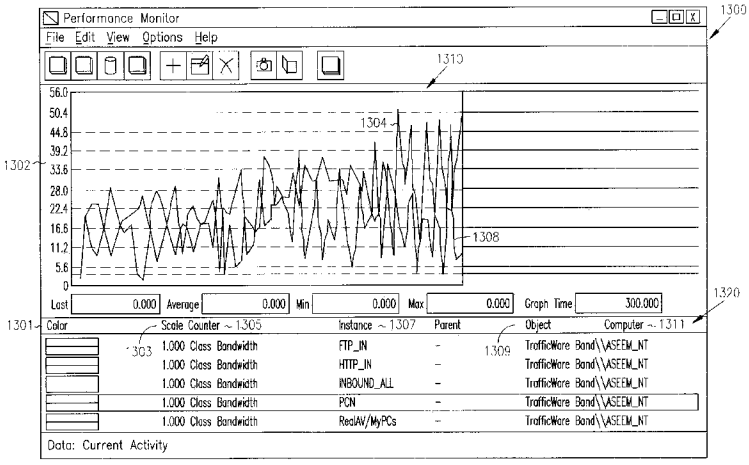

FIG. 13

Rakoshitz's line plot does not **use changing properties of lines in successive graphical images to indicates a change in the value of a characteristic of traffic,** where the lines interconnect nodes representing components in said network. The line in Rakoshitz's line plot does not connect any nodes that represent components. Rather, the line is simply displayed on a field with respect to horizontal and vertical accesses. Further, the appearance (for example, the color, width, length, etc.) of the line in Rakoshitz's line plot does not change to show changes in the value of a characteristic of traffic. The line plot is a static display.

Combination with Battat does not remedy the shortcomings of Rakoshitz. Battat simply discusses a virtual reality environment where "network scenes" show "computers and other devices attached to the opened segments." *See* Battat paragraph 0192 and Fig. 17 (reproduced below).

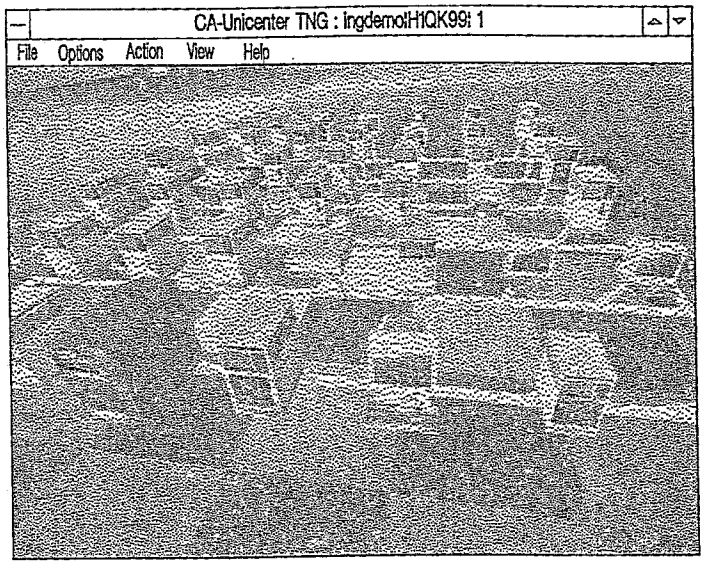

FIG. 17

While a user of Battat's virtual reality environment can "pilot" through "network scenes" to see images of different devices (*see* paragraph 0030), Battat does **not use changing properties of lines in successive graphical images to indicates a change in the value of a characteristic of traffic,** where the lines interconnect nodes representing components in said network. In Battat a user must point to a node to "bring up a reticule that gives...a brief summary of its status." *See* Battat paragraph 0114. Properties of lines interconnecting nodes do not change to represent this information.

Accordingly, the Applicant respectfully urges that the combination of Rakoshitz and Battat is legally insufficient to make obvious the present claims under 35 U.S.C. §103 because of the absence of the Applicant's claimed novel suggest "***each graphical image representing said network as nodes connected by lines, said nodes each representing components in said network, said lines representing traffic flow between said components... wherein a change in said property of said at least one line in successive graphical images indicates a change in the value of said characteristic of said traffic.***"

Rejection of Claims 4, 6, 22, 24, 40 and 42 under 35 U.S.C. §103(a)

At page 5 the Office Action, claims 4, 6, 22, 24, 40 and 42 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Reichert et al., U.S. Patent No. 5,720,022 (hereinafter "Reichert").

The Applicant's claim 4, representative in part also of claims 22 and 40, sets forth:

> 4. The method as in claim 1, further comprising:
> **using a width of said at least one line as said property, *a change in said width indicating a change in the value of said characteristic of said traffic***.

The Examiner agrees, at page 5 of the Office Action, that "Rakoshitz and Battat…fail to teach…using a width of said at least one line as said property", and turns to Reichert. However, Reichert also does not suggest "***using a width of said at least one line as said property, a change in said width indicating a change in the value of said characteristic of said traffic***."

Reichert merely discusses a technique for converting "dimensional representations" in a CAD drawing between different international standards. *See* Reichert col. 1, lines 10-15 and 29-39. "[D]imensional representations are used for representing the dimensions of a technical drawing." *See* Reichert col. 1, lines 25-26 and examples of dimensional representations in CAD drawings of Figs. 2-4. They have differing attributes, in each international standard, for example differing "line style (arrow types, linewidth, etc.)" and differing "text location, font, etc." *See* Reichert col. 1, lines 40-50.

Reichert's "dimensional representations" in CAD drawings indicate dimensions, not the value of a characteristic of traffic. A change in line width in Reichert merely changes the aesthetic aspects of the display, it does not **indicate a change in the value of a characteristic of traffic.**

Accordingly, the Applicant respectfully requests reconsideration of the rejection of claims 7, 25 and 43 under 35 U.S.C §103(a).

The Applicant's claim 6, representative in part also of claims 24 and 42, sets forth:

6. The method as in claim 1, further comprising:

using an arrow drawn on said at least one line as said property, a change in said arrow indicating a change in the value of said characteristic of said traffic.

The Examiner agrees, at page 5 of the Office Action, that "Rakoshitz and Battat…fail to teach using an arrow drawn on said at least one line as said property", and turns to Reichert. However, Reichert also does not suggest "***using an arrow drawn on said at least one line as said property, a change in said arrow indicating a change in the value of said characteristic of said traffic***."

As discussed above, Reichert merely discusses a technique for converting "dimensional representations" in a CAD drawing between different international standards, which may involve differing "arrow types, linewidth, etc." in the CAD drawing *See* Reichert col. 1, lines 10-15 and 25-50 and Figs. 2-4. Reichert's "dimensional representations" in CAD drawings show dimensions, not traffic in a network. A change in how an arrow is displayed in Reichart does not **indicate a change in the value of a characteristic of traffic.** Accordingly, the Applicant respectfully requests reconsideration of the rejection of claims 7, 25 and 43 under 35 U.S.C §103(a).

Rejection of Claims 7, 8, 25, 26, 43, and 44 under 35 U.S.C. §103(a)

At pages 6-7 of the Office Action, claims 7, 8, 25, 26, 43, and 44 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Tonelli et al., U.S. Patent No. 5,821,937 (hereinafter "Tonelli").

The Applicant's claim 7, representative in part also of claims 25 and 43, sets forth:

7. The method as in claim 1, further comprising:

using a length of said at least one line as said property, a change in said length indicating a change in the value of said characteristic of said traffic.

The Examiner agrees, at page 6 of the Office Action, that "Rakoshitz and Battat…fail to teach using a length of said at least one line as said property", and turns to Tonelli. However, Tonelli also does not suggest "***using a length of said at least one line as said property, a change in said length indicating a change in the value of said characteristic of said traffic.***"

Tonalli merely discusses (in reference to cited Fig. 21) storing physical dimensions of a network device's chassis in a database and displaying it back to a user. Specifically, Tonalli explains "[t]he user can view a list 222 of specific device properties, including… chassis information 225, by clicking on a Properties button." *See* Tonalli, col. 12, 60-65. This chassis information includes "Chassis Depth", "Chassis Width", "Chassis Height" and "Chassis Weight". *See* Tonalli, Fig. 21, 226. A change in this stored chassis information does not **indicate a change in the value of a characteristic of traffic.**

Further, Tonalli merely discusses (in reference to cited Fig. 7) that a user may specify a distance in a network design drawing in various ways. In one method, the "Direct Method option 75", a user may "specify a length 76 as 100 meters 77. The user then moves the cursor to a first position 82 on the background, clicks the left mouse button, drags the cursor a distance d1 to a second position 84 on the background, and clicks the left mouse button. The network design software uses this distance to calculate the other dimensions of the office layout." *See* col. 6, lines 47-49. This technique for specifying distances in a drawing, in no way suggests changing a length of a line in a graphical image to **indicate a change in the value of a characteristic of traffic**.

Accordingly, the Applicant respectfully requests reconsideration of the rejection of claims 4, 22 and 40 under 35 U.S.C §103(a).

The Applicant's claim 8, representative in part also of claims 26 and 44 sets forth:

8. The method as in claim 1, further comprising:

using a density of said at least one line as said property, a change in said density indicating a change in the value of said characteristic of said traffic.

The Examiner agrees, at page 6 of the Office Action, that "Rakoshitz and Battat…fail to teach using a density of said at least one line as said property", and turns to Tonelli. However, Tonelli also does not suggest "***using a density of said at least one line as said property, a change in said density indicating a change in the value of said characteristic of said traffic.***"

As discussed above, Tonalli merely discusses (in reference to cited Fig. 21) storing physical dimensions of a network device's chassis in a database and displaying it back to a user. *See* Tonalli, col. 12, 60-65 and Fig. 21, 226. A change in this stored chassis information does not **indicate a change in the value of a characteristic of traffic.**

Further, Tonalli merely discusses (in reference to cited Fig. 7) that a user may specify a distance in a network design drawing various ways. *See* page 6, lines 47-49. These techniques for specifying distance in a drawing in no way suggest changing a density of a line in a graphical image to **indicate a change in the value of a characteristic of traffic**.

Accordingly, the Applicant respectfully requests reconsideration of the rejection of claims 8, 26 and 44 under 35 U.S.C §103(a).

Rejection of Claims 10, 11, 28, 29, 46, and 47 under 35 U.S.C. §103(a)

At pages 7-8 of the Office Action, claims 10, 11, 28, 29, 46, and 47 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Jacoby, U.S. Patent No. 5,768,552 (hereinafter "Jacoby").

The Applicant notes that these claims are dependent claims that depend from independent claims believed to be allowable for at least the reasons discussed above. Accordingly, these claims are believed to be allowable due to their dependency, as well as for other separate reasons.

Rejection of Claims 14, 15, 17, 32, 33, 35, 50, 51, and 53 under 35 U.S.C. §103(a)

At pages 8-9 of the Office Action, claims 14, 15, 17, 32, 33, 35, 50, 51, and 53 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Reps et al., U.S. Patent No. 6,070,190 (hereinafter "Reps").

The Applicant notes that these claims are dependent claims that depend from independent claims believed to be allowable for at least the reasons discussed above. Accordingly, these claims are believed to be allowable due to their dependency, as well as for other separate reasons.

Rejection of Claims 18, 36, and 54 under 35 U.S.C. §103(a)

At page 9-10 of the Office Action, claims 18, 36, and 54 were rejected under 35 U.S.C. §103(a) over Rakoshitz in view of Battat, in further view of Trcka et al., U.S. Patent No. 6,453,345 (hereinafter "Trcka").

The Applicant notes that these claims are dependent claims that depend from independent claims believed to be allowable for at least the reasons discussed above. Accordingly, these claims are believed to be allowable due to their dependency, as well as for other separate reasons.

Conclusion

The Examiner is encouraged to call the undersigned attorney at (617) 951-2500 so that a mutually convenient time for a telephonic interview may be arranged.

In summary, all the independent claims are believed to be in condition for allowance and therefore all dependent claims that depend there from are believed to be in condition for allowance. The Applicant respectfully solicits favorable action.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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